



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,299	03/29/2004	John C. Stark	2593/SPRI.110453	1802
32423 7590 10/21/2008 SPRINT COMMUNICATIONS COMPANY L.P. 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100			EXAMINER LONSBERRY, HUNTER B	
			ART UNIT 2421	PAPER NUMBER
			MAIL DATE 10/21/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/812,299	Applicant(s) STARK, JOHN C.	
	Examiner HUNTER B. LONSBERRY	Art Unit 2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/30/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendments to the claims and new drawings are approved.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 12-20 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perlman, U.S. Patent Publication 2004/0110468 A1 in view of US 2008/1084327 A1 to Ellis.

Regarding Claim 1, Perlman discloses a system for accessing video data via satellite and wireless signals (page 2, paragraph [0027], lines 2-10), comprising:

a satellite signal receiver (FIG. 6, element 30);

Art Unit: 2421

a wireless signal receiver (FIG. 6, element 30);

video data may be received via the wireless interface and stored in a hard drive (paragraphs 44-48) and provided to any TV which receives data via an 802.11 card (paragraph 50, 58)

a display device for viewing video programming derived from at least one of said satellite and wireless signals (FIG. 6, element 26.)

Perlman does not teach a satellite digital to analog converter and wireless digital to analog converter and a junction device configured to receive a satellite analog signal and wireless analog signal.

Ellis discloses in figure 2a (paragraphs 41-42) a system that receives analog and digital signals via satellite or terrestrial wireless sources, these signals may be processed via a tune 208/210 and output into a baseband along format. The data may be viewed on an analog or digital television, or PC (paragraph 40). An electronic program guide may be implemented to help a user select programming (paragraph 38, figure 4a).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Perlman to utilize the d/a converters and junction device as taught by Ellis in order to implement an electronic program guide thereby providing an easy way for a user to select programming to view.

Regarding Claim 2, Perlman discloses a system wherein said wireless signal receiver is adapted to be included in a CDMA network (page 3, paragraph [0035],

lines 1-6. Although Perlman does not explicitly disclose a CDMA network, his invention discloses operating in compliance with spread spectrum standards that would meet the claimed limitations.).

Regarding Claim 3, Perlman discloses a wireless signal receiver comprises a first wireless interface (FIG. 3, elements 77 and 71, and page 2, paragraph [0031], lines 5-7.).

Regarding Claim 4, although Perlman does not disclose a first wireless interface comprised of an aircard, his invention implements a functional equivalent to achieve the same results as an aircard (FIG. 3, elements 77 and 71, and page 2, paragraph [0031], lines 5-7.).

Regarding Claim 5, although Perlman does not disclose a system wherein said aircard is a Type-II PCMCIA card, his invention discloses the options of using a PC card or a PCI card that is IEEE 802.11x compliant to enable wireless reception (page 3, paragraph [0038], lines 1-10).

Regarding Claim 6, although Perlman does not explicitly disclose an aircard cooperating with a video card and a scan converter to convert said wireless signal into a first analog signal which will be recognizable by a television, Perlman discloses a functional equivalent process to accomplish similar results (page 7, paragraph [0080], lines 8-12.).

Regarding Claim 7, Perlman discloses a computing device having a memory component and a processing component, said computing device being accessible through said first wireless interface (page 5, paragraph [0054], lines 1-3).

Art Unit: 2421

Regarding Claim 8, Perlman discloses a computing device having a memory component and a processing component, said computing device being accessible through a second wireless interface (page 5, paragraph [0059], lines 7-11.

Examiner interprets the computing device mentioned in this claim to be the same computing device claimed in Claim 7).

Regarding Claim 12, although Perlman does not explicitly disclose a second wireless interface that includes a wireless networking card, Perlman discloses a functional equivalent process to accomplish similar results (page 5, paragraph [0053], lines 1-3).

Regarding Claim 13, Perlman discloses a system wherein said wireless networking card creates a wireless local area network (page 5, paragraph [0053], lines 1-3.)

Regarding Claim 14, Perlman discloses wherein said wireless local area network is one of a 802.11b and a 802.11g local area network (page 3, paragraph [0035], lines 1-6).

Regarding Claim 15, Perlman discloses a system wherein satellite signal receiver and wireless signal receiver are both included in a set-top box (FIG. 6, element 30 and page 4, paragraph [0049], lines 3-6).

Regarding Claim 16, it has been analyzed and rejected for the same reasons set forth in the rejections of Claim 1 and Claim 15 above and because the scope of the claim is similar.

Regarding Claim 17, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 2 above and because the scope of the claim is similar.

Art Unit: 2421

Regarding Claim 18, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 4 above and because the scope of the claim is similar.

Regarding Claim 19, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 5 above and because the scope of the claim is similar.

Regarding Claim 20, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 6 above and because the scope of the claim is similar.

Regarding Claim 22, Perlman discloses a set top box for a television (FIG. 6, element 30) comprising:

- a first wireless interface for receiving data files via a digital wireless signal comprising a video program (FIG. 6, element 30);

- a convening system for convening said digital wireless signal into analog so that the video program may be viewed on a television (page 7, paragraph [0080], lines 8-12.).

Perlman does not teach a satellite digital to analog converter and wireless digital to analog converter and a junction device configured to receive a satellite analog signal and wireless analog signal.

Ellis discloses in figure 2a (paragraphs 41-42) a STB 112 that receives analog and digital signals via satellite or terrestrial wireless sources, these signals may be processed via a tune 208/210 and output into a baseband along format. The data may be viewed on an analog or digital television, or PC (paragraph 40). An electronic program guide may be implemented to help a user select programming (paragraph 38, figure 4a).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Perlman to utilize the d/a converters and junction device as taught by Ellis in order to implement an electronic program guide thereby providing an easy way for a user to select programming to view.

Regarding Claim 23, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 2 above and because the scope of the claim is similar. Regarding Claim 24, Perlman discloses a set-top box (FIG. 6, element 30) comprising:

a second wireless interface for accessing a computing device having a memory component and a processing component (page 5, paragraph [0059], lines 7-11) for enabling said set-top box to perform intelligent functions (page 5, paragraph [0056], lines 1-4).

Claims 9-11, 21, and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perlman in view of Ellis in further view of Parker et al., U.S. Patent Publication 2003/0234804.

Regarding Claim 9, Perlman does not teach a wireless keyboard for interfacing with said computing device through said second wireless interface. However, Parker discloses a user interface system for operating a computer from a distance (Parker,

Art Unit: 2421

page 1, paragraph [0052], lines 1-5). Parker discloses the flexibility to receive a variety of wireless signals.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Perlman with Parker's to establish a wireless interface to a computer. The ability to interface wirelessly would have been a highly desirable feature.

Regarding Claim 10, Perlman does not teach a wireless mouse for interfacing with said computing device through said second wireless interface. However, Parker discloses a user interface system for operating a computer from a distance (Parker, page 1, paragraph [0052], lines 1-5). Parker discloses the flexibility to receive a variety of wireless signals.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Perlman with Parker's to establish a wireless interface to a computer. The ability to interface wirelessly would have been a highly desirable feature.

Regarding Claim 11, Perlman does not teach a wireless camera for interfacing with said computing device through said second wireless interface enabling video telephony. However, Parker discloses a user interface system for operating a computer from a distance (Parker, page 1, paragraph [0052], lines 1-5). Parker discloses the flexibility to receive a variety of wireless signals.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Perlman with Parker's to

Art Unit: 2421

establish a wireless interface to a computer. The ability to interface wirelessly would have been a highly desirable feature.

Regarding Claim 21, it has been analyzed and rejected for the same reasons set forth in the rejections of Claims 8-11 above and because the scope of the claim is similar.

Regarding Claim 25, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 9 above and because the scope of the claim is similar.

Regarding Claim 26, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 10 above and because the scope of the claim is similar.

Regarding Claim 27, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 11 above and because the scope of the claim is similar.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2421

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNTER B. LONSBERRY whose telephone number is (571)272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HUNTER B. LONSBERRY/

Application/Control Number: 10/812,299
Art Unit: 2421

Page 11

Primary Examiner
Art Unit 2421

HBL